



WESTERN WEBER COUNTY TOWNSHIP PLANNING COMMISSION

PLANNING MEETING AGENDA

NOTICE: In lieu of a pre-meeting there will be a field trip to the C&D Landfill **leaving Weber Center at 3:00 pm** to be at the landfill by 3:30 pm. The field trip is for one hour from 3:30 to 4:30 pm so that we can get back our Planning Commission Meeting. Please bring your handbook to the meeting.

January 15, 2013

5:00 p.m.

Pledge of Allegiance

Roll Call:

1. Minutes: Approval of the December 11, 2012 meeting minutes
2. Petitions, Applications and Public Hearings:
Old Business
 - 2.1. LVH101612 Consideration and action on a request for a deferral of curb, gutter, and sidewalk for the Hadley Homestead Subdivision (2 Lots) within the Agricultural A-1 Zone located at approximately 1861 S 4300 W (Landon Hadley, Applicant)New Business
 - 2.2. BOA2012-03 Consideration and action on an administrative application for a flag lot located at 1559 S 7500 W within the Agricultural (A-2) Zone (Kevin Murray, Applicant)
3. Public Comments:
4. Planning Commissioner's Remarks:
5. Staff Communications:
 - 5.1. Planning Director's Report:
 - 5.2. Legal Counsel's Remarks:

Adjourn: **Adjourn for a Work Session**

6. Work Session Agenda Items:

- | | |
|--------------------------|--|
| W.1. Update & Discussion | Political Sign Ordinance |
| W.2. Rules of Order: | Consideration of Planning Commission Rules of Order |
| W.3. Meeting Statement: | Consideration of the Planning Commission Opening Meeting Statement |

7. Adjournment:

The regular meeting will be held in the Weber County Commission Chambers, in the Weber Center, 1st Floor, 2380 Washington Blvd., Ogden, Utah. Work Session may be held in the Breakout Room. A pre-meeting will be held in Room 108 beginning at 4:30 p.m. – No decisions are made in this meeting



In compliance with the American with Disabilities Act, persons needing auxiliary services for these meetings should call the Weber County Planning Commission at 801-399-8791

Minutes of the Western Weber County Planning Commission held December 11, 2012, in the Weber County Commission Chambers, commencing at 5:00 p.m.

Present: Doug Hansen, Chair; Jannette Borklund; Ryan Judkins; Andrew Favero; Wayne Andreotti; Brenda Meibos

Excused/Absent: John Parke

Staff Present: Rob Scott, Planning Director; Jim Gentry, Asst Planning Director; Ben Hatfield, Planner; Kary Serrano, Secretary, Sean Wilkinson, Planner

**Pledge of Allegiance*

**Roll Call:*

1. **Minutes:** Approval of the October 9, 2012 meeting minutes

MOTION: Chair Hansen declared the meeting minutes approved with the noted corrections.

2. **Consent Agenda:**

- 2.1 **LVH051112:** Consideration and action for final approval of the Hadley Homestead Subdivision (2 Lots) within the Agricultural A-1 Zone located at approximately 1861 S 4300 W (Landon Hadley, Applicant)

MOTION: Commissioner Borklund moved to recommend final approval of the Hadley Homestead Subdivision based on its compliance with the Weber County Zoning Ordinance and subject to conditions required by the reviewing agencies. Commissioner Favero seconded the motion. Chair Hansen said the motion carried with all members present voting aye. Motion Carried (6-0)

3. **Petitions, Applications and Public Hearings:**

Old Business:

- 3.1. **LVA052610:** Consideration and action for final approval of the Allen Horseplay Cluster Subdivision (13 Lots), within the Agricultural A-1 Zone located at approximately 2200 S 3500 W (Vaughn Allen, Applicant)

Ben Hatfield, Planner reviewed the staff report and said this meets all the requirements of the zoning ordinance, including requirements for cluster subdivisions have been met with this proposal. Staff does recommend final approval subject to staff and other agency recommendations and requirements.

Vaughn Allen, Taylor Resident said that this project has taken a long time and he would just like to move forward as he believed this would be an exciting project for the county. He recalled how his grandfather owned most of South Weber property, but it is difficult as farmers to own keep their property as it keeps getting subdivided, which is what has happened here. Yet this is one of the nicest well kept properties that does accommodate horses in the county as most of you already know that.

Chair Hansen appreciated Mr. Allen in working with Planning Staff to make sure everything is done correctly.

MOTION: Commissioner Favero moved to recommend final approval of LVA052610 Allen Horseplay Cluster Subdivision in accordance with Planning Staff reports and their recommendations. Commissioner Judkins seconded the motion. Chair Hansen said the motion carried with all members present voting aye. Motion Carried (6-0)

New Business:

- 3.2. **CUP2011-08:** Consideration and action for approval of a Conditional Use Application CUP2011-08 for a storage manufacturing tank plant in the Little Mountain Area located at approximately 9501 W 900 S and 791 S 9300 W, within the M-3 Zone (Garff Hubbard, Applicant)

Jim Gentry, Assistant Planning Director reviewed the staff report and said staff is recommending approval of this conditional use application subject to the conditions of approval and subject to the applicant meeting the conditions required by this Planning Commission. This recommendation is based on the following findings: That the proposed use is allowed in the M-3 Zone as a conditional use and it meets the appropriate site development standards, the criteria for issuance of a conditional use permit have been met because mitigation of potential detrimental effects can be accomplished, and approval of the site plan helps resolve existing zoning violations on the site.

Commissioner Borklund asked if the access going into the paved parking going to be paved or graveled. Mr. Gentry replied it's just going to be graveled, but if this Planning Commission thought it should be asphalt or have additional gravel, they could make that as an additional requirement.

Commissioner Judkins asked what is currently in place with that dirt coming in and out of that yard and onto the road. Mr. Gentry replied currently there is nothing in place and it would be a good idea for some additional road base to be brought in to prevent the tracking.

There was a brief discussion on the issues of dirt, gravel, traffic, and drainage.

Garff Hubbard, Applicant said we have added additional gravel and it typically does not look like the pictures. Semi trucks come in and out of there and there is enough gravel along there. We have committed this area for grass near the road but next to the pile of rocks we have added new gravel and are bringing loads of gravel to make sure it is taken care of.

Commissioner Andreotti said in that grassy area it looked as if water would get in there off of 900 South after the storms and he wondered if there was some sort of drainage along that road.

MOTION: Commissioner Andreotti moved to recommend approval of CUP2011-08 with the recommendation that they meet all the conditions for approval from Weber County Engineering, Building Inspection, Fire, etc. and that it meets with our Zoning in the M-3 area.

AMENDED MOTION: Commissioner Andreotti moved to recommend approval of CUP2011-08 with the recommendation that they meet the approval from the Weber County Planning Division, Engineering Division, Fire District, etc., that it meets with our Zoning Ordinance in the M-3 Zone area, and that the entrance and exit are maintained with adequate gravel so that it's not depleted, tracked, and so forth. Commissioner Meibos seconded the motion. Chair Hansen said the motion carried with all members present voting aye. Motion Carried (6-0)

3.3. 2012 General Plan Update Discussion

Rob Scott, Planning Director said that it is a positive thing to review the progress being made on the County's General Plans. This is a general introduction to the dates, times, and places regarding when the general plans were established. Many activities have occurred this past year and there a lot of ongoing activities relating towards implementing the General Plans including Modern Income Housing element which involved other government entities to help identifying their goals and policies that they are to see to be included within their own General Plans. Mr. Scott will hold a meeting next week with Mr. Gentry to work on a revised draft, which he anticipates reviewing in the first part of the year in a work session, and eventually hold a hearing, with a recommendation to the County Commission for adoption. It is a state requirement to have this element. There has been a lot of research regarding the housing circumstances within Weber County.

Chair Hansen asked if that document was prepared or is in the process. Mr. Scott replied they are hoping to review the final draft next week.

Mr. Scott referred to the Agri-Tourism Ordinance and a hearing was held a week ago and there were about a dozen people who spoke positively about the ordinance. Staff is working on options and alternatives with the County Commission regarding some issues that were raised.

Commissioner Favero asked what changes the Commissioners want to see. Mr. Scott replied that concerns were expressed about uses for amusement parks, bungee jumping, etc. There was also some concern about the size of a farm store that would be utilized as part of Agri-tourism but the County already has ordinances in place for those types of uses. There was a concern dealing with packaging of agricultural products. The Planning Division is working on developing a mixed use plan for the Ogden Valley to review it by next year. The Ogden Valley has a Pathway Plan, and once it gets adopted, then the County can start working developing a Pathway Plan for the Western Weber County.

Chair Hansen said that it is helpful to have these plans when reviewing requests which we need to look at when those kinds of developments come in to have some mixed uses.

4. **Public Comments:** There were no public Comments
5. **Planning Commissioner's Remarks:** Commissioner Favero thanked staff and the Planning Commissioners for all the work expressed and also thanks on the Holiday Dinner. Chair Hansen echoed Commissioner's Favero's sentiments.

Mr. Scott said that requests can be made to get a report on the activities associated with the CNU Landfill. Chair Hansen requested that staff investigate this and report to the Planning Commission.

6. **Staff Communications:**
- 6.1. **Planning Director's Report:**

- Workshop w/Wilf Summerkorn December 18, 2012

Rob Scott thanked the Planning Commission for their work and gave a report on Monette Hurtado stating she is back to work on a part time basis. Next week we will hold a special workshop from a Planning Director from Salt Lake City who has put together a presentation on public clamor beginning at 5:00.

Chair Hansen asked to give Monette their regards and sympathy for her situation.

- 6.2. **Legal Counsel's Remarks:** There were no Legal Counsel Remarks.
7. **Adjourn:** The meeting was adjourned at 5:50 p.m.

Respectfully Submitted,



Kary Serrano, Secretary,
Weber County Planning Commission



Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and or action on a request for a deferral of curb, gutter, and sidewalk for the Hadley Homestead Subdivision (2 lot).
Agenda Date: Tuesday, January 15, 2013
Applicant: Landon Hadley
File Number: LVH101612

Property Information

Approximate Address: 1861 South 4300 West
Project Area: 3.65 acres
Zoning: A-1
Existing Land Use: Residential and Agricultural
Proposed Land Use: Residential
Parcel ID: 15-080-0027
Township, Range, Section: 6N 2W Sec 29

Staff Information

Report Presenter: Ben Hatfield
bhatfield@co.weber.ut.us
801-399-8766
Report Reviewer: SW

Applicable Ordinances

- Weber County Subdivision Ordinance
- Weber County Zoning Ordinance Chapter 5 (A-1 Zone)

Background

The applicant is requesting a deferral of curb, gutter, and sidewalk improvements for the Hadley Homestead Subdivision, located at 1861 South 4300 West. On December 11, 2012 the Western Weber Planning Commission recommended final approval for the subdivision; however a request for the deferral of improvements was not included.

The proposed subdivision located on 4300 West is adjacent to a 52 acre property owned by the Weber School District (exhibit B). The School District has indicated that in the future they would like to use this property to site a new High School, but plans for a new High School will not happen for many years.

The proposed subdivision (exhibit C) is located more than 1.5 miles from Kanesville Elementary School; however it is within 1.5 miles of West Weber Elementary School and, therefore, typically required to install improvements. The subdivision is on 4300 West, but students walking from this area to West Weber Elementary School would have to cross some large streets to reach the school. As most properties south of the proposed subdivision are undeveloped, few students would use this frontage on their school commute.

This two lot subdivision is on 3.65 acres and is located in the A-1 zone. The A-1 zone requires a minimum of 40,000 square feet in area and a lot width of 150 feet per dwelling. These lots, after road dedication, exceed this requirement. There is an existing home on lot 1 and lot 2 is vacant.

Culinary water is provided by a Taylor West Weber Water and wastewater treatment is provided by Central Weber Sewer.

Summary of Planning Commission Considerations

- Should a deferral of improvements be recommend due to the location of this property?
- Does the subdivision meet the requirements of applicable Weber County ordinances?

Conformance to the General Plan

The proposed subdivision meets the requirements of applicable Weber County ordinances and conforms to the General Plan.

Conditions of Approval

- Requirements of the Weber County Engineering Department
- Requirements of the Weber Fire District
- Requirements of the Weber County Health Department
- Requirements of the Weber County Surveyors Department

Staff Recommendation

Staff recommends for a deferral of curb, gutter, and sidewalk improvements for the Hadley Homestead Subdivision due to its distance from operating public schools. Staff also recommends that when the adjacent school district property develops the deferred improvements be installed for public safety.

Exhibits

- Proposed plat for the Handley Homestead Subdivision
- Recorder's plat showing ownership of surrounding properties
- Map showing distance to local public elementary schools

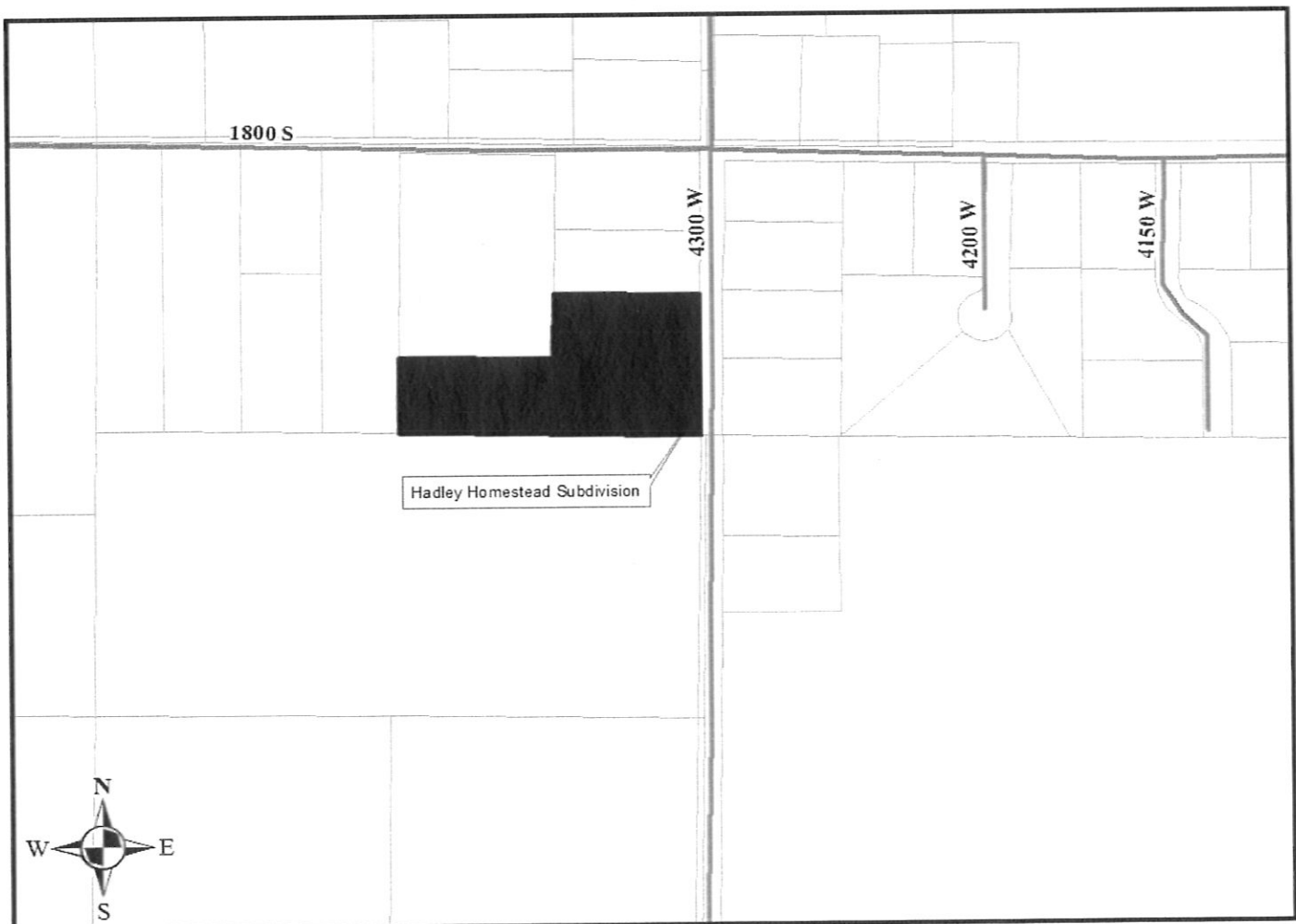
Maps

Adjacent Land Use

North: Residence
West: Agriculture

South: Agriculture
East: Residence

Map 1





SCALE 1" = 200'

SEE PAGE 54-1

TAXING UNITS: 53,377



Exhibit B

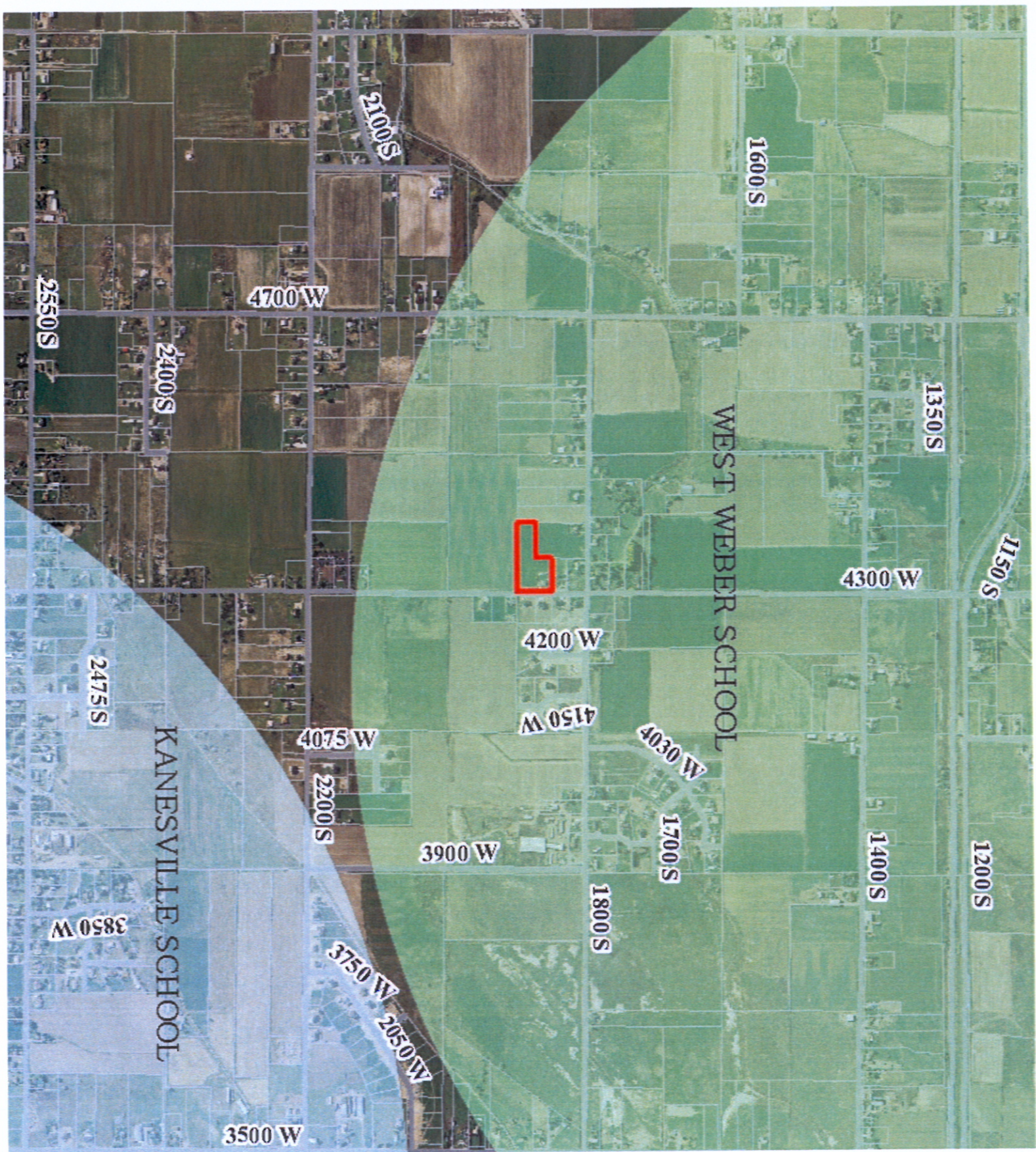


Exhibit C



Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on an administrative application for a flag lot.
Agenda Date: Tuesday, January 15, 2013
Applicant: Kevin Murray
File Number: BOA 2012-03

Property Information

Approximate Address: 1559 South 7500 West
Project Area: 9.57
Zoning: Agricultural (A-2)
Existing Land Use: Vacant
Proposed Land Use: Residential
Parcel ID: 10-043-0078
Township, Range, Section: T6N, R3W, Section 23

Adjacent Land Use

North:	Residential	South:	Residential/Vacant
East:	Residential	West:	Vacant

Staff Information

Report Presenter: Jim Gentry
jgentry@co.weber.ut.us
801-399-8767
Report Reviewer: RS

Applicable Ordinances

- Zoning Ordinance Chapter 6 (Agricultural A-2 Zone)
- Zoning Ordinance Chapter 23 (Supplementary and Qualifying Regulations) Sections 23-29. Flag Lot Access Strip, Private Right-of-Way, and Access Easement Standards and 23-30. Flag Lots
- Subdivision Ordinance Chapter 2 Subdivision Standards

Type of Decision

Administrative Decisions: Administrative decisions apply to uses that are subject to standards which are applicable for all permits and those decisions that require the exercise of limited discretion about nontechnical issues, such as Design Reviews, Flag Lots, and Subdivision Applications. Administrative decisions by the Planning Commission are valid if they are supported by substantial evidence in the record and are not arbitrary, capricious, or illegal. The evidence considered by the Planning Commission needs to be on the record.

Background

The Proposed Flag Lot is located at approximately 1559 South 7500 West and is Zoned Agricultural A-2 which requires 40,000 square feet and 150 feet of frontage. The proposed flag lot will be 9.57 acres with a 60 foot wide stem that is 624 feet long. Where the flag lot stem ends the property is 357 feet wide. Flag lots are required to have 3 acres excluding the stem and a maximum width of 30 feet. The maximum length of a stem is 800 feet.

In addition to the narrative that is attached, the applicant provided the following overview on the flag lot stems: The purpose of this application is to secure an approval for a 4.45-acre one-lot subdivision and a contiguous agricultural lot containing 5.00 acres. Both parcels are to be accessed from 7500 West at approximately 1525 South 7500 West in unincorporated Weber County. It is proposed that each parcel will contain separate and distinct thirty (30) foot stem roads in an effort to provide ingress and egress to and from each parcel. The applicant will own both parcels of ground for his own use.

Review Criteria

23-29. Flag Lot Access Strip, Private Right-of-Way, and Access Easement Standards

A. Design standards.

1. The flag lot access strip, private right-of-way, or access easement shall be built to a standard approved by the County Engineer. The improved road surface does not require hard-surface paving, i.e., concrete or asphalt, but the improvements shall meet the following standards.
2. The flag lot access strip, private right-of-way, or access easement shall have a minimum width of 20 feet and a maximum width of 30 feet.
3. The improved area of the flag lot access strip, private right-of-way, or access easement shall be a minimum of 12 feet wide if the access is under 150 feet in length, and a minimum of 20 feet wide if the access is 150 feet or greater in length.
4. The improved road surface of the flag lot access strip, private right-of-way, or access easement shall be capable of supporting a minimum weight of 75,000 pounds.
5. A minimum turnout measuring at least 8 feet by 30 feet shall be provided adjacent to the traveled surface of the flag lot access strip, private right-of-way, or access easement at a maximum distance of 200 feet from the public street.
6. The flag lot access strip, private right-of-way, or access easement shall have a maximum grade of 15%. However, Fire District approval is required for any access that exceeds a grade of 10%.
7. The flag lot access strip, private right-of-way, or access easement shall have a minimum vertical clearance of 14.5 feet.
8. No buildings, structures, or parking areas are allowed within the flag lot access strip, private right-of-way, or access easement.
9. Bridges, including decking and culverts shall be capable of supporting a minimum weight of 75,000 pounds.
10. Switchback turns in sloped areas shall have a minimum 75-foot radius.
11. Water and sewer lines located within the flag lot access strip, private right-of-way, or access easement require written notification from the agencies providing such services.

B. Safety standards.

1. The lot address shall be displayed in a prominently visible location at the street entrance to the flag lot access strip, private right-of-way, or access easement.
2. A turn-around area shall be provided at the home location to allow firefighting equipment to turnaround. This area shall be a year round surface capable of supporting fire equipment (a minimum inside turning radius of 30 feet and an outside turning radius of not less than 45 feet.)
3. A fire hydrant or other suppression method may be required by the Fire District.
4. The home location shall be shown on a plan submitted to the Fire District.
5. Conditions may be imposed by the Land Use Authority to ensure safety, accessibility, privacy, etc. to maintain or improve the general welfare of the immediate area.

C. Lot/parcel standards

1. The lot/parcel shall meet all minimum yard and area requirements of the zone in which it is located.
2. Buildings shall be set back a minimum of 30 feet from the end of the flag lot access strip, private right-of-way, or access easement.
3. The lot/parcel shall meet the minimum lot width requirement for the zone in which the lot is located at the end of the access strip.
4. The lot/parcel shall have a flag lot access strip, private right-of-way, or access easement constructed in conformance with Section 23-28 prior to the issuance of Land Use Permits or Building Permits.

D. Expiration

1. Flag lot access strips, private rights-of-way, and access easements which have been approved by the Land Use Authority are valid for 18 months from the date of approval.

23-30. Flag Lots

1. The Land Use Authority shall determine whether it is feasible or desirable to extend a street to serve a lot(s)/parcel(s) or lots at the current time, rather than approving a flag lot. Criteria to be used in determining feasibility or desirability of extending a street shall include, but not be limited to topography, boundaries, and whether or not extending a road would open an area of five (5) acres or more in Western Weber County and ten (10) acres or more in the Ogden Valley for development.

2. The lot area exclusive of the access strip shall be a minimum of 3 acres.
3. Each lot shall access a street by means of its own fee title access strip. Successive stacking of lots on the same access strip is not permitted.
4. No access strip shall exceed 800 feet in length.
5. A maximum of two flag lot access strips may be located adjacent to each other.

No flag lot shall be allowed which proposes to re-subdivide or include within it (including the access strip) any portion of an existing lot in a recorded subdivision. No subdivision shall be vacated, re-subdivided, or changed in order to meet the requirements of this section.

Summary of Planning Commission Considerations

Does the proposal meet the requirements of the Zoning Ordinance?

Can the proposal meet the conditions of the ordinance by requiring the property owner to record an easement for a future road and a covenant requiring the owner to participate in the cost of the construction of the road?

Staff Findings: As part of the application review and agency review process, staff has determined that the following requirements of the Weber County Zoning Ordinance Chapter 23 (Supplementary and Qualifying Regulations) Sections 30 and the Weber County Subdivision Ordinance Chapter 2 Subdivision Standards have not been complied with:

The Land Use Authority shall determine whether or not it is feasible or desirable to extend a street to serve a lot(s)/parcel(s) or lots at the current time, rather than approving a flag lot. Criteria to be used in determining feasibility or desirability of extending a street shall include, but not be limited to topography, boundaries, and whether or not extending a road would open an area of five (5) acres or more in Western Weber County and ten (10) acres or more in the Ogden Valley for development

There is additional acreage in the lot, to the west, and to the south that could be served by a road. Criteria to be used in determining feasibility or desirability of extending a street shall include, but not be limited to topography or boundaries conditions. The property is flat; there is 60 feet that could be used for a road. Staff cannot find any barriers that would prevent a road being installed.

As part of the Weber County Subdivision Ordinance Chapter 2 Subdivision Standards states that "the maximum length of blocks generally shall be thirteen hundred (1300) feet and the minimum length of blocks shall be five hundred (500) feet." The distant from 900 South to the Flag Lot stem is approximately 3909 feet which would meet the maximum block length 1300 feet.

There are other requirements that have not been completed, but will be required as part of the subdivision and during the construction of the home.

Conformance to the General Plan

Local streets are not included as part of General Plans

Conditions of Approval

- Requirements of the Weber County Engineering Division
- Requirements of the Weber Fire District
- Meeting the design criteria listed above

Staff Recommendation

The Planning Commission needs to approve or deny this application based on the criteria listed. If the flag lot is approved should the property owner be required to record an easement for a future road and a covenant requiring the owner to participate in the cost of the construction of the road?

Exhibits

1. Applicant Narrative
2. Future development
3. 60 foot stem
4. Proposed flag lot stems
5. Location map

**FLAG LOT APPLICATION
KEVIN MURRAY
EXHIBIT 1**

GLOBAL MITIGATION

The large tract of land west of 7500 West in Weber County held by Global Mitigation (GM) was acquired for the purpose of providing alternate wetlands mitigation area for lands impacted by the Legacy Highway (North Davis County). The project was delayed by litigation between UDOT, et al and a consortium of environmental groups. In an effort to resolve the matter Governor Mike Leavitt offered approximately 1,600 acres of high value wetlands along eastern shoreline of the Great Salt Lake. The Leavitt offer was accepted and eventually became a significant part of the current Legacy Parkway complex.

Currently the Global Mitigation tract remains as an undeveloped asset of which GM has and is attempting to offer potential mitigation sites for other large and intermediate projects throughout the Wasatch Front. Recent conversations with its management indicate that GM currently has no plan to develop the property at this time.

PROVIDING ACCESS TO ADJOINING PROPERTY

The proposed flag lot parcel consists of approximately 9-acres including a stem for access to 7500 West, a improved dedicated road. The access road extends approximately 700 feet then opens on to a meadow/pasture area containing the majority of the acreage.

The property shares a 578 ft. boundary to well over one-thousand acres of undeveloped land currently held by Global Mitigation, an Arizona based firm that acquired the large tract in the mid 1990's as a displaced wetlands mitigation site for the Legacy Highway.

Global Mitigation shares other boundaries with several other parcels held by various individuals and concerns consisting of over a mile in length. Combined the following sets forth the nature and extent of other additional boundaries from which Global Mitigation may gain access at some future date (See Attached Exhibit).

- Contiguous Boundary 5,981 Lineal Feet
- 7500 West Access Potential 3,500 Lineal Feet
- Acreage Contained 150-acres

With such an abundance of potential connectivity from these various properties, it seems a heavy burden to place upon a 9-acre parcel. Providing such an access through the

proposed 9-acre flag lot is disproportionately high burden to be brought to bear for the benefit of over 1,000-acres of undeveloped land.

As future development plans come forward in years and decades to come, there will be ample opportunity to layout a more comprehensive road plan that suites the specific requirements of that development. Were the proposed flag lot the only and last opportunity to provide connectivity to adjoining properties, the case could be better justified, however, at present that is not the case – there exists many and various means whereby access can be provided in more coordinated ways tied to a coherent development plan(s) from contiguous properties with large acreage and significant lengths of common boundaries with the Global Mitigation property.

While an access through the proposed flag lot to the Global Mitigation boundary may be possible, it imposes a disproportionate burden on such a small parcel as a means to resolving the matter of connectivity. The owner of the proposed flag lot, while having limited use of the land contained within the access area, would likely never know if and or when a road may be built. And it goes without saying that if the additional burden of bearing the cost of the improvements to the access were born by the flag lot owner of nearly 1,300 lineal feet of county standard roadway, the entire endeavor would be infeasible. The whole matter contains uncertainty for the proposed owner as to how best to utilize the access area, as well as bearing the cost of maintaining a considerable portion of the property without the benefit of permanent use, and what impact does the presence of an unimproved future access have on current and future value of property.

For these reasons, the placing of an access easement through the proposed flag lot is a disproportionate burden to be placed on a small parcel when there are many and various opportunities along lengthy contiguous boundary lines with Global Mitigation.

EXHIBIT 2

Kevin Murray <kevinmurray09@gmail.com>
Fwd: Kevin Murray Flag Lot Exhibits
December 4, 2012 10:38 AM

Sent from my iPhone

Begin forwarded message:

From: Kent Bule <kibule@richhills.com>
Date: November 13, 2012 11:24:24 AM MST
To: smp@richhills.com, kevinmurray09@gmail.com
Cc: Candice Kuntz <candicekuntz@richhills.com>
Subject: Kevin Murray Flag Lot Exhibits

Scott -

Please find several exhibits attached containing areas (in yellow shading) that are capable of potentially providing connectivity to the Global Mitigation property to the west. As is evident there are several locational opportunities for future access to the Global Mitigation Site.

Based upon Google Earth measurements we can calculate distances associated with contiguous boundaries.

Contiguous Boundary	5,981 Linear Feet
7500 West Access Potential	3,500 Linear Feet
Access Contained	150-acres

As is evident there are several locational opportunities for future access to the Global Mitigation Site. As mentioned earlier, it seems to be a heavy burden to place on a 9-acre parcel when there are numerous future opportunities to provide several points of connectivity to GM property.

Additionally, please find attached an exhibit of the proposed 9-acre flag lot containing a sixty foot access extending from 7500 West to the western boundary.

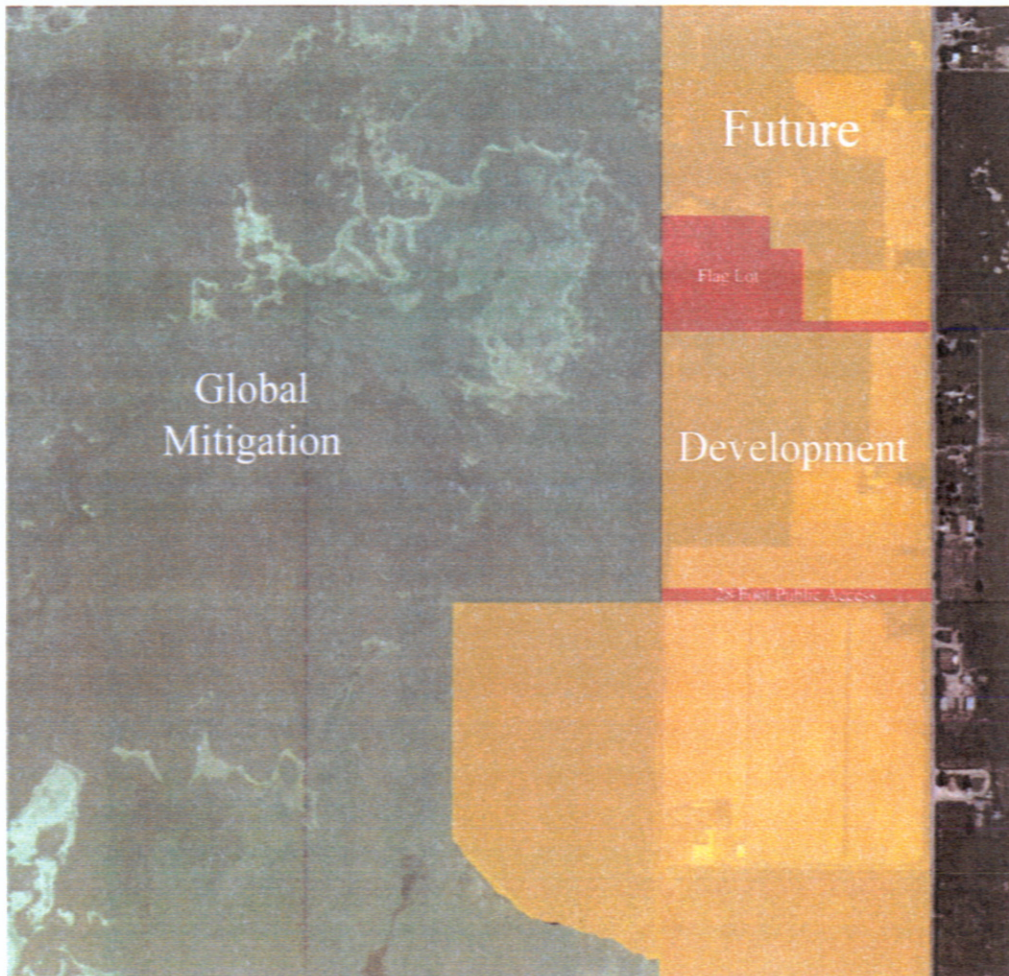
Finally, note one exhibit containing an existing 20 foot public access that extends to the Global Mitigation boundary.

We have attempted to contact Craig Campbell at Global Mitigation to ascertain their intentions for the property. He has yet to return my call. Feel free to attempt to contact Mr. Campbell at 823-225-5500.

Your efforts in this matter are appreciated.

Regards,

Kent Bule
801-831-9105



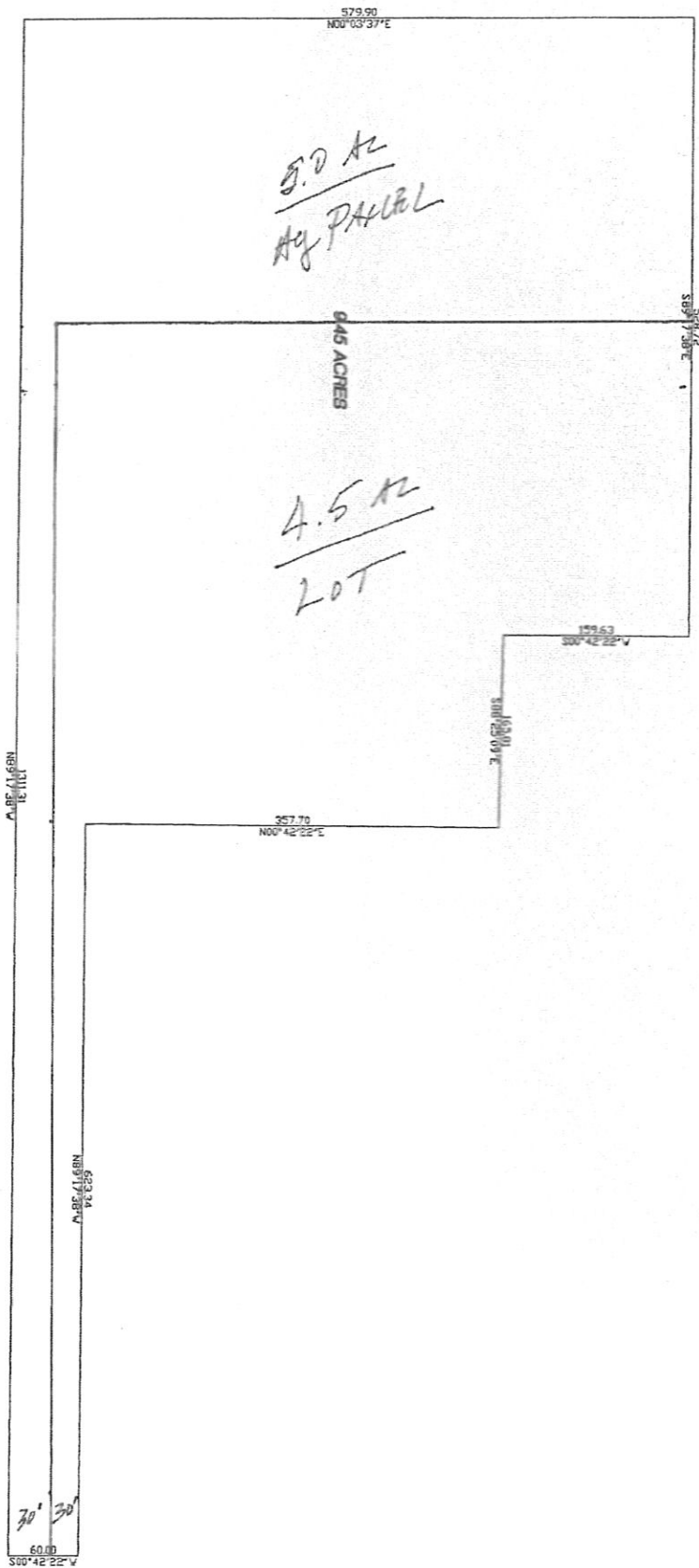
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Flag Lot

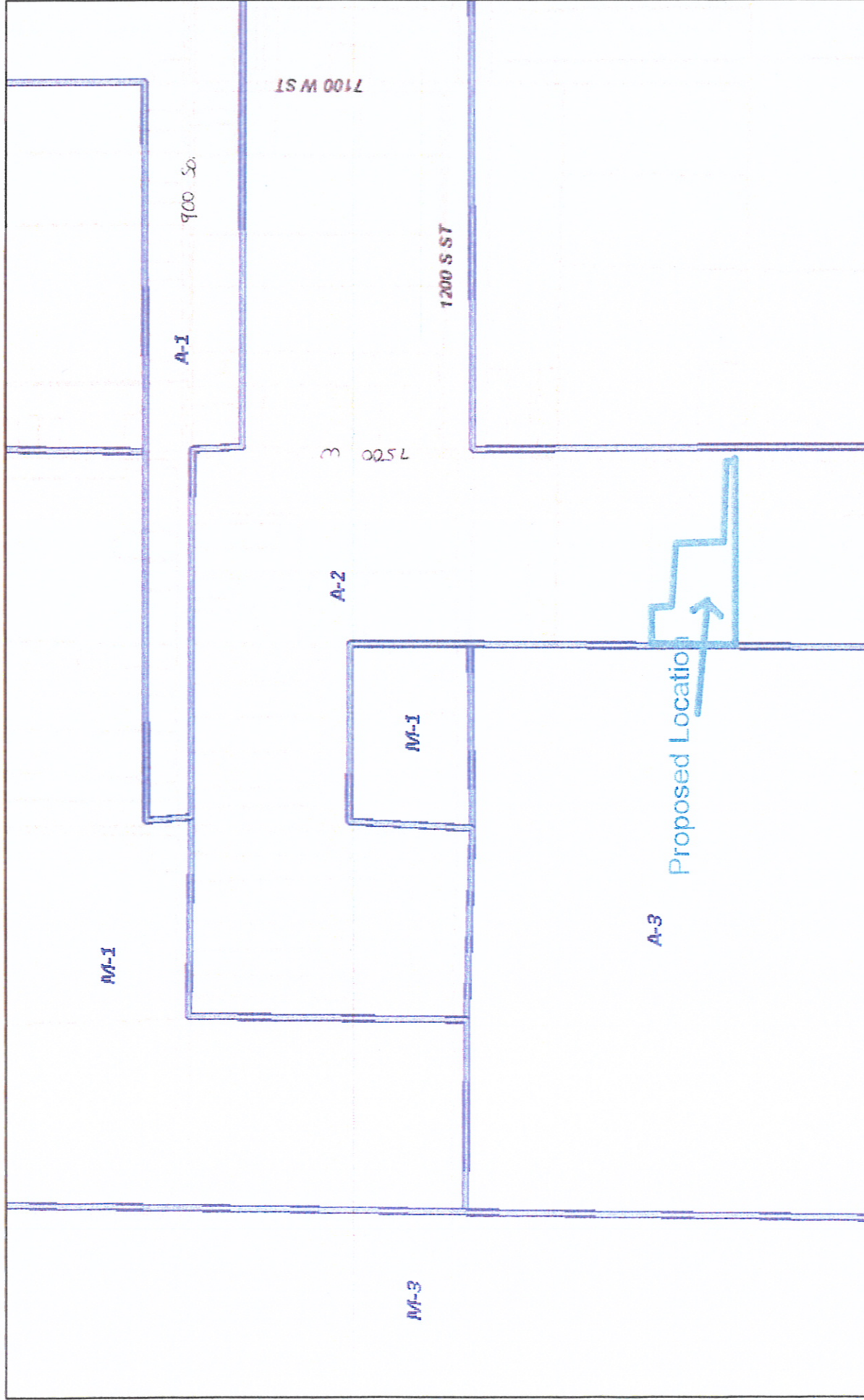
Future
Development

60 Foot Easement

7500 West



Flag Lot



December 20, 2012

Zoning Area





Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Amendments to the Weber County Zoning Ordinance Chapter 32 (Signs), Chapter 1 (General Provisions) regarding the provisions for various sign provisions including temporary signs

Agenda Date: Tuesday, January 15, 2013

Applicant: Weber County Planning Staff

File Number: ZTA-2012-04

Property Information

Approximate Address: Not Applicable

Project Area: Not Applicable

Zoning: Not Applicable

Existing Land Use: Not Applicable

Proposed Land Use: Not Applicable

Parcel ID: Not Applicable

Township, Range, Section: Not Applicable

Adjacent Land Use

North:	Not Applicable	South:	Not Applicable
East:	Not Applicable	West:	Not Applicable

Staff Information

Report Presenter: Robert Scott
rscott@co.weber.ut.us
(801) 399-8791

Report Reviewer: SW

Applicable Ordinances

- Weber County Zoning Ordinance Chapter 1 (General Provisions)
- Weber County Zoning Ordinance Chapter 32 (Signs)
- Weber County Zoning Ordinance Chapter 23 (Supplementary and Qualifying Regulations)
- Weber County Zoning Ordinance Chapter 31 (Land Use Permit, Building Permit and Certificate of Occupancy)

Background

The Western Weber Planning Commission (WWPC) recommended on June 12, 2012 that the Weber County Commission adopt the draft ordinance. The Weber County Commission held a public hearing on July 17, 2012 and tabled the ordinance until July 31, 2012. At the July 31, 2012 meeting the Weber County Commission tabled the item until some additional issues identified by the Weber County Attorney's office, specifically the language dealing with content neutral, could be addressed. The Weber County Planning Division has worked with the Weber County Attorney's office and the attached draft is ready for a further review by the Western Weber Planning Commission.

The purpose and intent of Chapter 32 is to establish rules and procedures which govern signs in the Western Weber County Township. The Ogden Valley Township has its own sign ordinance Chapter 32-B.

This proposed amendment to Chapter 32 (Signs) addresses the issues identified by the Attorney's office. The proposal does three things, i.e., makes political signs content neutral, places them under the umbrella of temporary signs, and makes adjustments to definitions, and other minor changes to be consistent with Chapter 30 (Land Use Permit, Building Permit and Certificate of Occupancy), Chapter 32-B (Ogden Valley Signs), Chapter 23 (Supplementary and Qualifying Regulations), and building and fire codes. Staff researched a number of other jurisdiction's ordinances in making this recommendation.

The following summary identifies the proposed amendments:

Chapter 1 – 6 Definitions

Chapter 1 has a subsection providing for definitions. This subsection has been revised to include a number of modified and new definitions that will help clarify the overall sign ordinance including temporary signs.

SIGN: A modified definition is presented that is a clearer definition of what constitutes a sign.

SIGN, ANIMATED: This is a new definition.

SIGN, BUSINESS / COMMERCIAL: This definition adds the word commercial and is also modified.

SIGN, CAMPAIGN: This definition identifies these signs as being those associated with an election.

SIGN, CONSTRUCTION: The definition for 'sign, construction' is taken from 32-B and placed here.

SIGN, DIRECTIONAL: This definition is modified to provide clarity.

SIGN, EVENT: This is a new definition.

SIGN, GROUND / MONUMENT: This definition adds the word monument and is modified to provide clarity.

SIGN, NONCONFORMING: This is a new definition.

SIGN, OCCASION: This is a new definition.

SIGN, POLE: This is a new definition.

SIGN, POLITICAL: This definition identifies these signs as those signs that comment on an issue or proposal not associated with an election.

SIGN, PUBLIC EVENT: This is a new definition.

SIGN, SEASONAL: This is a new definition.

SIGN, TEMPORARY: This definition is modified.

SIGN, VEHICLE: This is a new definition.

Chapter 32 - Signs

32-1. Purpose and Intent. A purpose and intent section is included to replace the Sign Type section. The purpose and intent statement is new along with clearly identifying that this ordinance is intended to be content neutral.

32-2. Definitions. The Chapter 32-B language is inserted which explains that sign definitions are found in Chapter 1.

32-3 General Provisions (With the insert of 32-2; General Provisions becomes 32-3)

1. Conformity. This provision is modified to eliminate the duplication from the building codes and make it clear that the requirements for signs must meet the requirements of this chapter.

8. Misleading, Fraudulent, Obscene, Immoral, Indecent or Signs of Unsightly Character Prohibited. At the recommendation of Legal Counsel this provision is deleted.

8. Noise Prohibited. This provision is renumbered from 9 to 8.

9. Painting, Pasting, Gluing Prohibited. This provision is renumbered and an exception is provided as identified in 32-4 Special Provisions.

10. Permit Required. This provision is renumbered and the general sign standard is modified to make it clear that a land use permit is required unless it meets the exception identified in Chapter 32-4 Special Provisions.

11. Refusal of Owner to Remove Dangerous Signs. This provision is renumbered and the process for applying liens has been updated to reflect current practice. The County Treasurer and County Clerk have been deleted since they are not involved in this process.

12. Removal of Conforming Signs. This provision is renumbered and a modification changes the responsibility of sign removal from the Chief Building Official to the County to make it consistent with Chapter 30 (Land Use Permit, Building Permit and Certificate of Occupancy).

13. Removal of Nonconforming Signs. This provision is renamed and renumbered and a definition is added for nonconforming use in Chapter 1. Outdated language is deleted and new language is added allowing maintenance and replacement of nonconforming signs.

15. Sign Inspection. This provision is being deleted. It is unnecessary since the building codes already provide for sign inspection.

16. Sign Not to Cover Window, Doors, or Similar Openings. This provision is being deleted. These provisions are already in the fire and building codes.

14. Sign on Private Property. With the deletion of Sign Inspection and Sign Not to Cover Window, Doors, or Similar Openings this provision becomes 14.

15. Sign on Public Property. This provision is renumbered from 18 to 15. An amendment clarifying when these are allowed is referenced in subsection 32-4 Special Provisions.

16. Sign Over Street Prohibited. This provision is renumbered from 19 to 16.

17. Sign Setback. This provision is renumbered from 20 to 17.

18. Signs, Zones Permitted and Controls. This provision is renumbered from 21 to 18.

19. Signs not to Constitute Traffic Hazard. This provision is renumbered from 23 to 19.

22. Violations a Misdemeanor. This provision is being deleted. The Zoning ordinance has a provision for violations. This provision is out of date.

32-4. Special Provisions (With the insert of 32-2; Special Provisions becomes 32-4)

3. Special Event Banner and Special Event Direction Signs. This provision identifies that special event banner and special event direction signs are allowed for public and special events.

6. Political or Campaign Signs. This provision is being deleted and replaced by 6 Temporary Signs.

6. Temporary Signs. A new provision that addresses temporary signs is provided.

A. First, temporary signs must be located on private property unless otherwise exempted.

B. Second, standards for temporary sign setbacks are given for streets with sidewalks, those without sidewalks, and clear view triangle. A policy question is whether that setback should be 5 or 10 feet?

C. Third, there are three tables provided.

Table C-1 identifies temporary sign types, display periods, removal requirements for all temporary signs, and whether or not a land use permit or special event permit is required for that sign type. Sign types are given three subheadings, occasion signs, seasonal signs, and event signs.

Table C-2 relates to agricultural and residential zone standards by sign types for the maximum area per sign face, maximum height of the freestanding signs including the support structure, and the number of signs permitted.

Table C-3 relates to commercial and manufacturing zone standards by sign types for the maximum area per sign face, maximum height of the freestanding signs including the support structure, and the number of signs permitted.

8. Time Limitation for Construction Project or Land Development Signs. This provision is being deleted. The definition for these signs is moved to Chapter 1-6 Definitions.

32-5. Exempt Signs (With the insert of 32-2; Exempt Signs becomes 32-5)

3. This provision relating to signage for construction project identification is deleted. The provision for this is now included in Chapter 1-6 (Definitions)

32-6. Design Standards (With the insert of 32-2; Design Standards becomes 32-6)

32-7. Specialty Signs Prohibited (With the insert of 32-2; Specialty Signs becomes 32-7)

32-8. Sign / Zone Regulations (With the insert of 32-2; Sign / Zone Regulations becomes 32-8) The sign table is amended to delete all references to temporary signs.

Summary of Planning Commission Considerations

- Do the proposed amendments remedy the concerns of County Legal Counsel?

- Are the proposed amendments clear, objective, and reasonable?
- Should temporary sign setbacks along streets with sidewalks and those without sidewalks be 5 or 10 feet?

Conformance to the General Plan

This is a legislative matter. The draft ordinance is consistent with both General Plans.

Conditions of Approval

Not Applicable

Staff Recommendation

Staff recommends that the Western Weber Planning Commission discuss the draft ordinance prior to making a recommendation to the Weber County Commission.

Exhibits

- A. Weber County Zoning Ordinance Chapter 32 (Signs) and Chapter 1 (General Provisions) Proposed Amendments

1 Chapter 1 GENERAL PROVISIONS

2 1-6 Definitions

3 SIGN: ~~A presentation or representation of words, letters, figures, designs, pictures, or colors, publicly~~
4 ~~displayed so as to give notice relative to a person, a business, an article or merchandise, a service, an~~
5 ~~assemblage, a solicitation or a request for aid; also the structure or framework or any natural object on~~
6 ~~which any sign is erected or is intended to be erected or exhibited or which is being used or is intended~~
7 ~~to be used for sign purposes.~~ Any object, device, display, or structure, or part thereof, that is used to
8 advertise, identify, display, direct or attract attention to an object, person, institution, organization,
9 business, product, service, event, or location by any means, including, but not limited to words, letters,
10 figures, designs, symbols, fixtures, colors, illumination, or projected images.

11 SIGN, ANIMATED: A sign employing actual motion, the illusion of motion or light and / or color changes
12 achieved through mechanical, electrical or electronic means.

13 SIGN, BUSINESS / COMMERCIAL: ~~A sign which directs attention to a use conducted, project or~~
14 ~~commodity sold or service performed upon the premises.~~ Any sign with wording, a logo or other
15 representation that directly or indirectly names, advertises or calls attention to a business, product,
16 service, profession, commodity, commercial event, or other commercial activity, or otherwise contains
17 commercial speech.

18 SIGN, CAMPAIGN: A temporary sign soliciting support for a person running for public office or a sign
19 supporting, defending or objecting to an issue or proposal being placed before the public.

20 SIGN, CONSTRUCTION: Construction signs announcing the construction of a building or project naming
21 owners, contractors, subcontractors and architects.

22 SIGN, DIRECTIONAL: ~~Business incidental signs designed to guide or direct pedestrians or vehicular traffic;~~
23 Any sign located on private property at or near the public right-of-way, directing or guiding vehicular or
24 pedestrian traffic onto the property and / or toward parking or other identified locations on the
25 property.

26 SIGN, EVENT: A sign that is intended to support special events, e.g., event banners and directional signs.

27 SIGN, GROUND / MONUMENT: ~~A sign placed upon the ground, or supported by a frame or supports~~
28 ~~placed in or upon the ground.~~ A free standing ground sign mounted on a base but not attached to any
29 building or wall.

30 SIGN, NONCONFORMING: A sign that legally existed at the time that it was installed under the
31 regulations in effect at that time but does not conform to the current applicable regulations of the area
32 in which it is located and has been maintained continuously since the time the applicable regulations
33 changed to render it nonconforming.

34 SIGN, OCCASION: A sign that is intended to support a business activity that is temporary in nature, e.g.,
35 construction, real estate, or temporary real estate sales office.

36 SIGN, POLE: A free standing sign that is mounted atop one or more poles and not attached or braced by
37 any other structure.

38 SIGN, POLITICAL: A temporary sign making a statement either supporting, defending or objecting to an
39 issue or proposal that is not being placed before the public.

SIGN, PUBLIC EVENT: A sign depicting an upcoming community sponsored event, e.g., youth soccer signup.

SIGN, SEASONAL: A sign that is intended to advertise a business activity for a designated amount of time, e.g., a farmer's market, Christmas tree lot, or fruit and vegetable stand.

~~SIGN, TEMPORARY: Temporary signs as regulated by this Ordinance shall include any sign, banner, pennant, valance or advertising display constructed of cloth, canvas, light fabric, cardboard, wall board or other light materials with or without frames, intended to be displayed for a short period of time only.~~

SIGN, TEMPORARY: Any exterior sign, banner, pennant, valance or advertising display constructed of paper, cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without light frames, intended to be displayed for a short period of time. Examples of temporary signs include: a grand opening banner; public event banner; political sign, real estate sign; special event sign.

SIGN, VEHICLE: Any sign permanently or temporarily attached to or placed on a vehicle or trailer.

Chapter 32 SIGNS

32-1 Major Sign Types Purpose and Intent

~~Business Signs, Identification and Information Signs, and Specialty Signs are considered as Major Sign Types for the purpose of this Ordinance. All signs will be classified as belonging to one of the Major Sign Types for regulatory measure.~~

The purpose and intent of the Sign Standards is to provide for reasonable display of all signage in the Western Weber Township to identify and advertise products, services, and business establishments for the information and convenience of the general public. These Standards and criteria are designed to protect and promote the public health, safety, and general welfare of persons within the community. The Standards are also designed to aid in the orderly development and promotion of business by providing regulations, which encourage aesthetic creativity, effectiveness, and flexibility in the display and use of signs while protecting and enhancing community character in the Western Weber Township.

It is the County's policy to regulate signs in a manner that is consistent with the free speech protections and provisions of the United States Constitution and of the Constitution of the State of Utah by enacting regulations which do not restrict speech on the basis of its content, viewpoint or message; and do not favor one form of speech over another.

32-2 Definitions

Certain words, phrases, terms and concepts used in this Section are defined in Chapter 1-6, Definitions.

32-23 General Provisions

- ~~1. **1. Conformity and Safety.** If a sign does not conform with the requirements of this Chapter or if the construction, design, manner of use or method of anchoring or supporting any sign makes such sign unsafe, the Chief Building Official shall proceed in any manner he deems necessary to cause the removal of the sign or the rebuilding of a sign to conform with the requirements of this~~

Chapter or to remedy the defect herein. All signs must meet the requirements of the Uniform Building Code and Safety Regulations of the County, this Chapter.

- 2- **2. Clearance.** There shall be a minimum clearance of ten (10) feet between the ground or sidewalk and any part of projecting sign, with the exception of public necessity signs and nameplates.
- 3- **3. Copy Area.** Copy area of a building facade signs or multiple copy signs shall not exceed forty percent (40%) of the background facing to which it is applied.
- 4- **4. Height of Signs.** No sign shall exceed the height limitations established for each zone as set forth in this Chapter.
- 5- **5. Lighting of Signs.** Signs may be illuminated by indirect lighting, floodlights, or luminous tubes only. No lighting shall be installed in any way which will permit direct rays of such light to penetrate onto any adjoining property used for residential purposes, or in any manner constituting a nuisance. Animated signs are prohibited except as expressly provided herein.
- 6- **6. Location of Signs.** No part of any sign shall be permitted to extend across any property line or located in any required front or side yard except as follows:
 - A. Business and identification signs attached to a building may project into a required front or side yard not more than six (6) feet and not less than ten (10) feet above the ground or sidewalk.
 - B. Ground business signs, including all portable types signs for conforming uses only, shall not be located closer than ten (10) feet to a front or side property line for that portion of the sign lower than ten (10) feet and not closer than three (3) feet for that portion of the sign greater than ten (10) feet in height.
 - C. Property identification signs shall not be located closer than ten (10) feet to any property line.
 - D. Nameplates may be located anywhere on the property.
- 7- **7. Maintenance of Signs.** Signs regulated by this Chapter shall be maintained in good visual appearance and structural condition at all times. The County and its agents shall in no way be liable for negligence or failure of the owner or the person responsible for maintaining any sign, to keep such sign in good condition, or be responsible for any damage caused by defective conditions.
- ~~8- **8. Misleading, Fraudulent, Obscene, Immoral, Indecent or Signs of Unightly Character Prohibited.** No sign shall be erected or maintained, or be permitted to remain publicly displayed which are a misleading, fraudulent, obscene, immoral, indecent, of unsightly character.~~
- 9- **8. Noise Prohibited.** It shall be unlawful to use in connection with any sign or to use for advertising purposes any radio, phonograph, whistle, bell or any other sound or noisemaking or transmitting device or instrument for the purpose of commercial advertising.
- ~~10- **9. Painting, Pasting, Gluing Prohibited.** No sign shall be painted, pasted or glued directly on any wall or roof or affixed directly to any wall or roof by means of any similar adhesive substance. No paper or cloth sign shall be tacked directly on any wall or roof **except as provided in Chapter 32-4 Special Provisions.**~~
- ~~11- **10. Permit Required.** It shall be unlawful to erect or maintain or remodel any sign upon or over public or private property, with the County until a land use permit sign permit with respect to such sign has been obtained, except as exempted in Section 32-4 Special Provisions. from the Chief Building Official. The Chief Building Official may at his discretion request the Planning Commission to review a sign application.~~
- ~~12- **11. Refusal of Owner to Remove Dangerous Signs.** Removal by Chief Building Official. Where immediate action is deemed necessary to protect, limb, life or property and where the owner of a sign or the owner of the property on which the sign is erected fails to remove such sign pursuant to notice from the Chief Building Official within a specified time fixed in such notice, the Chief~~

Building Official may proceed in any manner deemed necessary to cause the immediate removal of such sign. The Chief Building Official shall certify a statement of the expenses incurred in such removal. ~~to the County Treasurer, who in turn shall assess and charge the same against the real estate upon which the sign was erected, and~~ Unless said assessment is paid within ninety (90) days after and from the date of notice thereof the same shall, ~~when recorded in the offices of the County Clerk,~~ become a lien upon the real estate whereon the sign is erected and collectible in the same manner as general taxes.

13. **12. Removal of Conforming Signs.** Any person occupying a building or portion of a building, who owns or maintains a sign in connection therewith shall, upon vacating the premises, or discontinuing the business advertises, cause the sign to be removed. Any person who owns and maintains a sign which is maintained for the benefit of another person who occupies a building or part of a building whereon the sign is located shall cause the sign to be removed if the person for whom the sign is maintained vacates the premises. Failure of the owner of the sign or of the person responsible for maintaining same to remove the sign within thirty (30) days after notice from the ~~County Chief Building Official~~ shall be considered as a violation of this Chapter and shall subject the owner of the sign and the owner of the property to the penalties herein.

14. **13. Removal of Non-conforming Signs.**

A. ~~Any sign not in conformance with the provisions of this Chapter and which was erected or installed without a permit, shall be removed within thirty (30) days upon notification from the Chief Building Official~~ County.

B. ~~Signs for which permits were previously issued and which are made nonconforming by the provisions of this Chapter shall be permitted to remain in accordance with Section 7. Under no circumstances shall such nonconforming signs be remodeled or replaced. The provisions of Section 2.12 shall apply to such nonconforming signs.~~

C. ~~Any existing sign, conforming to the provisions of this Chapter relative to size and location, but nonconforming to structure requirements shall be removed or replaced within one (1) year upon written notice from the County. However, if they are deemed to be a hazard or more than fifty percent (50%) damaged, they shall be removed or repaired in accordance with the structural requirements of this Chapter, within ten (10) days after receiving notice from the County.~~

D. ~~Any sign on a building determined to be abandoned shall be removed within thirty (30) days of notification from the County by the Chief Building Official to the property owner and/or owner of the business advertisement and/or owner of the sign.~~

A sign may be re-installed which duplicates the original non-conforming sign in dimensions and location. Any changes in size or location shall require conformance to this Ordinance.

15. **Sign Inspection.** The Chief Building Official shall inspect each sign for which a permit has been issued and shall require the property maintenance of all signs subject to the provisions of this Chapter.

16. ~~**Sign Not to Cover Windows, Doors, or Similar Openings.** No sign shall cover a window, doorway or other opening providing light ventilation or exit facilities which are required by the Building Code or which are deemed by the Fire Department to be necessary to give the Fire Department access to the building or to afford the fire protection in the event of a fire; provided however, that flat signs, wall signs, cloth signs and projecting signs shall be permitted to cover transom.~~

17. **14. Sign on Private Property.** It shall be unlawful for any person to fasten or attach, paint or place any sign as defined in this Chapter upon any private wall, window, door, gate, fence or sign or upon any other personal property without the consent of the owner, or lessee, or someone authorized to act on behalf of such owner or lessee.

18. **15. Sign on Public Property.** It shall be unlawful for any person to fasten or attach, paint or place any sign, handbill, poster, advertisement or notice of any kind or sort, whether political or otherwise or to cause the same to be done in or upon the curbstone, lamp post, telephone pole, electric light or power pole, hydrant, bridge or tree, or in or upon any portion of any sidewalk or street. It shall be unlawful to paste, place, paint or attach any sign defined in this Chapter on any building, street or property of the County. No sign shall be erected on or project over public property, except as permitted in Section 32-4 Special Provisions.

19. **16. Sign Over Street Prohibited.** It shall be unlawful to erect and/or maintain any sign over any street or alley, except as herein expressly provided.

20. **17. Sign Setback.** For purposes of this Chapter, the entire sign must comply with the specified setback regulations.

21. **18. Signs, Zones Permitted and Controls.** It is unlawful for any person to erect or otherwise install a sign having a size or height greater than allowed in this Chapter. It is unlawful for any person to erect or otherwise install a sign located on a site or in a zone in violation of the regulations specified in Section 8.

~~22. **Violations a Misdemeanor.** Any person who shall fail to comply with or shall violate any of the provisions of this Chapter, or any rules or regulations promulgated hereunder shall be deemed guilty of a misdemeanor and shall be punished as provided in State Code, by a fine of not more than \$299 or by imprisonment for not more than sixty (60) days, or by both such fine and imprisonment. The penalty provided herein shall be in addition to any suspension or revocation of any license or permit issued hereunder.~~

23. **19. Signs not to Constitute Traffic Hazard.** No light, sign, or other advertising structure as regulated by this Ordinance shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision; or at any location where by reason of the position, shape, or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device; or which makes use of the words, "STOP", "LOOK", "DANGER", or any other word, phrase, symbol or character in such a manner as to interfere with, mislead or confuse traffic.

32-34 Special Provisions

3. ~~**Cloth Signs.** Special Event Banner and Special Event Direction Signs.~~ Permits may be issued by the Chief Building Official upon approval by the County Commission for hanging of display banners or other cloth decorations for special occasions, ~~such as e.g.,~~ religious, charitable, civic, or festive occurrences, ~~or for the Christmas decorations~~ or in celebration of some event of religious, national, state or civic significance or in honor of a visit from a person or persons of note. ~~It is specifically prohibited to incorporate in any such decorations any political advertising or advertising of a commercial nature.~~ The Chief Building Official Public event banner signs may permit such signs to be hung over public streets or on walks after proper approval. Permits issued pursuant to this paragraph may be issued without charge of any fee, but shall specify a period of time, ~~not to exceed fifteen (15) days during which such signs shall be permitted to be used.~~ Special event directional signs are allowed for public and special events.

~~6. **Political or Campaign Signs.** Political or campaign signs are permitted in accordance with the following provisions provided that any such sign shall be erected not earlier than sixty (60) days prior to the election at which time the candidates or measure will be voted upon and shall be removed within fifteen (15) days after such election, campaign or event.~~

- ~~1. In any residential zone, there is permitted not more than one stationary unlighted temporary sign on any lot or contiguous parcels of land under one ownership on behalf of candidates for public office or questions on the ballot, provided that any such sign shall not exceed six (6) feet in height or six (6) square feet in area. If attached, such sign shall not exceed the height of the eaves line of the building.~~
- ~~2. In a commercial zone, there is permitted one or more temporary signs on a lot on behalf of a candidate for public office, or of a question on the ballot or announcing a campaign, drive or event of a civic, philanthropic, educational, or religious organization, provided that:~~
 - ~~1. The total of such sign or signs on any lot shall not exceed sixty-five (65) square feet, except that larger signs may be placed upon any legally existing sign structure. If detached, signs shall not exceed fifteen (15) feet in height, and if attached not more than twenty-five (25) feet in height.~~
 - ~~2. No such sign shall be a roof sign, except upon a legally existing sign structure, and no signs shall be erected in any required yard setback area unless attached to a building.~~

6. Temporary Signs. Temporary signs shall be permitted in accordance with standards set forth below, unless specified otherwise in this ordinance:

A. Setback standards for temporary signs:

1. Temporary signs must be located completely on private property, except as exempted in Section 32-4, Special Provisions.
2. Signs must be placed 5 or 10 feet behind the sidewalk, including those with grass strips between the street and the sidewalk, except for special event banners and special event directional signs.
3. On streets with no sidewalks and where it is not clear where the property line is located, signs must be placed 5 or 10 feet behind the curb or pavement and not hang into the street; and
4. At intersections, they must be placed beyond the site distance triangle (23-7 Clear View of Intersecting Streets).

B. Temporary Signs. Temporary signs in this section shall in no way regulate the content of speech, only the place and manner in which it is permitted.

C. Additional Standards

Table C-1			
Sign Type	Display Period	Removal Required 3 Days After	Land Use Permit or Special Event Permit Required
<u>Occasion Signs</u>			
<u>Campaign Signs</u>	<u>60 days prior to the election</u>	<u>Completion of the election</u>	<u>N</u>
<u>Construction Signs</u>	<u>Duration of construction</u>	<u>Completion of construction</u>	<u>N</u>
<u>Property / Real Estate Sign</u>	<u>Duration of listing</u>	<u>Closing / Lease Commencement Date</u>	<u>N</u>
<u>Short Term Vendors</u> <u>§ 34-3</u>	<u>120 days</u>	<u>End of Event</u>	<u>Y / LUP</u>
<u>Temporary Outdoor Sales</u> <u>§ 34-4</u>	<u>Per state code if applicable or 30 days prior to the event</u>	<u>End of Event</u>	<u>Y / LUP</u>
<u>Temporary Real Estate Sales Office</u>	<u>Duration of construction</u>	<u>Completion of Construction</u>	<u>Y / LUP</u>
<u>Temporary Real Estate Sales Office Wall Sign</u>	<u>Duration of construction</u>	<u>Completion of Construction</u>	<u>Y / LUP</u>
<u>Seasonal Signs</u>			
<u>Farmers Market</u> <u>§ 34-5</u>	<u>June through October</u>	<u>End of Event</u>	<u>Y / LUP</u>
<u>Fruit and Vegetable Stand</u> <u>§ 5-2-8; 5B-2-8; 6-2-8; & 7-2-8</u>	<u>June through October</u>	<u>End of Event</u>	<u>Y / LUP</u>
<u>Political Sign</u>	<u>No limit</u>	<u>No limit</u>	<u>N</u>
<u>Event Signs</u>			
<u>Public Event Banner (on public property)</u>	<u>30 days prior to the event</u>	<u>End of Event</u>	<u>Y / SEP</u>
<u>Public Event Sign</u>	<u>30 days prior to the event</u>	<u>End of Event</u>	<u>Y / SEP</u>
<u>Special Event</u>	<u>60 days prior to the event</u>	<u>End of Event</u>	<u>Y / SEP</u>
<u>Special Event Directional Sign</u>	<u>1 day prior to the event</u>	<u>End of Event</u>	<u>Y / SEP</u>

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Table C-2			
<u>Types of Temporary Signs Permitted in Agricultural and Residential Zones</u>	<u>Maximum Area Per Sign Face</u>	<u>Maximum Height of Freestanding Signs (Includes support structure)</u>	<u>Number of Signs Permitted per Sign Type</u>
<u>Occasion Signs</u>			
<u>Campaign Sign</u>	<u>4 square feet</u>	<u>6 feet</u>	<u>No limit</u>
<u>Construction Sign</u>	<u>32 square feet</u>	<u>6 feet</u>	<u>1 per street frontage</u>
<u>Property / Real Estate Sign</u>	<u>8 square feet</u>	<u>6 feet</u>	<u>1 per street frontage</u>
<u>Temporary Real Estate Sales Office</u>	<u>32 square feet</u>	<u>6 feet</u>	<u>1 per street frontage</u>
<u>Temporary Real Estate Sales Office Wall Sign</u>	<u>20 square feet</u>	<u>n/a</u>	<u>1 sign attached to the office</u>
<u>Seasonal Signs</u>			
<u>Farmers Market</u>	<u>32 square feet</u>	<u>10 feet</u>	<u>1 per street frontage</u>
<u>Fruit and Vegetable Stand</u>	<u>16 square feet</u>	<u>10 feet</u>	<u>1 per street frontage</u>
<u>Political Sign</u>	<u>16 square feet</u>	<u>10 feet</u>	<u>1 per street frontage</u>
<u>Event Signs</u>			
<u>Public Event Banner (on public property)</u>	<u>12 square feet</u>	<u>n/a</u>	<u>1 per street frontage</u>
<u>Public Event Sign</u>	<u>4 square feet</u>	<u>3 feet</u>	<u>1 per street frontage</u>
<u>Special Event</u>	<u>16 square feet onsite</u>	<u>6 feet</u>	<u>No limit onsite signs, either ground or banner signs</u>
<u>Special Event Directional Sign</u>	<u>8 square feet offsite</u>	<u>4 feet</u>	<u>No limit off-premise directional signs</u>

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Table C-3			
<u>Types of Temporary Signs Permitted in Commercial and Manufacturing Zones</u>	<u>Maximum Area Per Sign Face</u>	<u>Maximum Height of Freestanding Signs</u>	<u>Number of Signs Permitted per Sign Type</u>
<u>Occasion Signs</u>			
<u>Campaign Sign</u>	<u>6 Square Feet</u>	<u>8 Feet</u>	<u>No limit</u>
<u>Construction Sign</u>	<u>64 square feet</u>	<u>12 feet</u>	<u>1 per street frontage</u>
<u>Property / Real Estate Sign</u>	<u>64 square feet</u>	<u>12 feet</u>	<u>1 per street frontage</u>
<u>Short Term Vendors</u>	<u>16 square feet</u>	<u>6 feet if set in the ground or anywhere on the building</u>	<u>2 total per frontage, either a ground sign or on vendor trailer, mobile store, tent, or kiosk</u>
<u>Temporary Outdoor Sales</u>	<u>16 feet</u>	<u>6 feet if set in the ground or anywhere on the building</u>	<u>2 per street frontage</u>
<u>Seasonal Signs</u>			
<u>Farmers Market</u>	<u>32 square feet</u>	<u>10 feet</u>	<u>1 per street frontage</u>
<u>Fruit and Vegetable Stand</u>	<u>32 square feet</u>	<u>10 feet</u>	<u>1 per street frontage</u>
<u>Political Sign</u>	<u>32 square feet</u>	<u>10 feet</u>	<u>1 per street frontage</u>
<u>Event Signs</u>			
<u>Public Event Banner (on public property)</u>	<u>12 square feet</u>	<u>n/a</u>	<u>1 per street frontage</u>
<u>Public Event Sign</u>	<u>4 feet</u>	<u>3 feet</u>	<u>1 per street frontage</u>
<u>Special Event</u>	<u>16 square feet onsite</u>	<u>6 feet</u>	<u>No limit onsite signs, either ground or banner signs</u>
<u>Special Event Directional Sign</u>	<u>8 square feet offsite</u>	<u>4 feet</u>	<u>No limit off-premise directional signs</u>

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8. ~~Time Limitation for Construction Project or Land Development Signs.~~ No construction project or land development sign shall be erected more than thirty (30) days prior to construction and shall be removed not more than thirty (30) days after completion.

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32-45 Exempt Signs

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3. Non-illuminated and non-floodlights flat signs, wall signs, and free-standing signs having an area not in excess of thirty-six (36) square feet announcing the destruction or construction or remodeling of a building or announcing the enterprise to be located in a building under construction or announcing the name and address of the architect or contractor of the building, or the owner thereof, provided that no more than one such sign shall be erected on each street

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- 276 ~~frontage and also provided that said signs are not erected more than thirty (30) days prior to~~
277 ~~construction and are removed not more than thirty (30) days after completion.~~
- 278 32-56 Design Standards.
- 279 32-67 Specialty Signs Prohibited.
- 280 32-78 Sign / Zone Regulations (The sign table is amended to delete all references to temporary signs).